**DRAFT JOINT STATEMENT**

**SIXTH ROUND OF NEGOTIATIONS OF THE GCM**

**July 9, 2018**

Mr. Co-facilitators,

I have the honor to speak on behalf of… and my own delegation…

First, we want to thank Ambassador Gomez-Camacho and Ambassador Lauber for their able leadership during the six rounds of negotiations and their extraordinary efforts, as well as of their teams, in putting together this very important and complex draft of the Global Compact.

Our delegations appreciate some of the changes that were included in the Rev. 3 which reflect our long standing positions in crucial areas such as the reformulation of the paragraph 16; the inclusion of paragraph 54 to launch intergovernmental consultations to decide the modalities and organizational aspects of the future International Migration Forum; the strengthening of references to unaccompanied migrant children; the mainstreaming of a gender and child sensitive perspective throughout the text; the improvement of the references to different groups of migrants more prone to face vulnerabilities in the context of migrations, such as Indigenous Peoples, older persons, minorities, among others. We also highlight the adjusted language on decent work and protection of labour rights of migrants.

We recognize that these elements have contributed to improve the overall balance of the text; nevertheless, we still have strong concerns on the following issues:

* **Child detention**

Children must never be either detained because of their or their parents’ migration status or separated from them. Detention of children based on their or their parents’ migration status contravenes the principle of the best interest of the child, is a clear violation of children rights and may constitute cruel, inhuman or degrading treatment of migrant children.

Therefore, our delegations request to bring back the formulation of the Rev. 1 where States committed to “*protect and respect the rights and best interests of the child at all times, regardless of their migration status, by ending the practice of child detention in the context of international migration*”.

* **Non criminalization of irregular migrants**

From the beginning, we have stated that the New York Declaration on Refugee and Migrants is the crucial foundation of the Global Compact and that our commitments should not fall short of those set in the New York Declaration.

Two years ago, we committed to consider reviewing policies that criminalize cross-border movements, but regrettably that aspiration was removed from Rev. 3., so we strongly request the Co-facilitators to reinsert literal e) of paragraph 25 from Rev. 2, in order to recover the delicate balance on this matter.

* **Basic services and Firewalls**

We regret that the list of basic services was not kept in Objective 15 paragraph 31.

International human rights law provides that all persons must have access to their economic, social and cultural rights, without discrimination. The provision of basic services, such as health and education, would not only contribute to reduce the vulnerabilities that migrants may face, but also to attain the goals that all Member States have agreed upon in the 2030 Agenda for Sustainable Development.

In paragraph 31 literal b), we regret not having a stronger and specific language on the necessary safeguards against abuses on the sharing of migrants′ personal information by public authorities when they are using such basic social services and the commitment not to apprehend irregular migrants at places of basic service delivery, including hospitals, schools and courts.

We kindly request to maintain the text in paragraph 31 and 31b as it was reflected in draft Rev 2.

* ***Non refoulement* and Return**

We acknowledge that return is an integral part of the migration cycle; nonetheless, we believe that it should always be conducted under certain conditions, such as respecting the prohibition of collective expulsions, prioritizing voluntary over forced returns and upholding the principle of *non refoulement*. Not all of these conditions, which contribute greatly to the sustainability of the decision to return a migrant to its country of origin, are specifically mentioned in Objective 21.

Therefore, our delegations appeal the Co-facilitators to better reflect all these elements, particularly in the Chapeau of Objective 21, as well as in literal e).

We want to stress out that the principle of *non refoulement* should be reflected accurately, as established under international human rights, refugee, humanitarian and customary law.

* **MICs**

In the Chapeau of Objective 23, we believe that the language to refer to countries that face specific challenges should be in accordance with the listing agreed on the 2030 Agenda and Addis Ababa Action Agenda, that reads as follows: “*underscoring the specific challenges faced by developing countries, including African countries, least developed countries, landlocked developing countries, small island developing States and middle income countries*”.

Mr. Co-facilitators,

This Global Compact is about cooperation and solidarity in facing a common challenge. We see it as a historic opportunity to promote a safe, orderly and regular migration, putting human dignity at the center of our commitments.

As we come to the last round of negotiations, we, once again, reiterate our dedicated and constructive engagement to this process, which we believe it is of the utmost importance for protecting the rights and dignity of migrants everywhere, regardless of their migration status, while assuring prosperity and benefits for host, transit and origin communities.

You can count, Mr. Co-facilitators, with our full support to conclude this process on Friday morning. We trust in your ability to lead us to a final document that brings more balance to the key elements that brought our countries to start this conversation at the United Nations on all of the dimensions of international migration.

Thank you.